

MESSAGE NO: 0155311 MESSAGE DATE: 06/04/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AFF-Affirmative

FR CITE: 75 FR 26726 FR CITE DATE: 05/12/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-201-838

EFFECTIVE DATE: 05/12/2010 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY INVESTIGATION OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO (A-201-838)

THIS MESSAGE REPLACES MESSAGE 0134307 WHICH WAS INADVERTENTLY DEACTIVATED.

1. ON 05/12/2010, COMMERCE PUBLISHED IN THE FEDERAL REGISTER (75 FR 26726) ITS AFFIRMATIVE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND THE POSTPONEMENT OF THE FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO.

2. THE PRODUCTS COVERED UNDER THIS INVESTIGATION ARE ALL SEAMLESS CIRCULAR REFINED COPPER PIPES AND TUBES, INCLUDING REDRAW HOLLOW, GREATER THAN OR EQUAL TO 6 INCHES (152.4 MM) IN LENGTH AND MEASURING LESS THAN 12.130 INCHES (308.102 MM) (ACTUAL) IN OUTSIDE DIAMETER ("OD"), REGARDLESS OF WALL THICKNESS, BORE (E.G., SMOOTH, ENHANCED WITH INNER GROOVES OR RIDGES), MANUFACTURING PROCESS (E.G., HOT FINISHED, COLD-DRAWN, ANNEALED), OUTER SURFACE (E.G., PLAIN OR ENHANCED WITH GROOVES, RIDGES, FINS, OR GILLS), END FINISH (E.G., PLAIN END, SWAGED END, FLARED END, EXPANDED END, CRIMPED END, THREADED), COATING (E.G., PLASTIC, PAINT), INSULATION, ATTACHMENTS (E.G., PLAIN, CAPPED, PLUGGED, WITH COMPRESSION OR OTHER FITTING), OR PHYSICAL CONFIGURATION (E.G., STRAIGHT, COILED, BENT, WOUND ON SPOOLS).

THE SCOPE OF THIS INVESTIGATION COVERS, BUT IS NOT LIMITED TO, SEAMLESS REFINED COPPER PIPE AND TUBE PRODUCED OR COMPARABLE TO THE AMERICAN SOCIETY FOR TESTING AND MATERIALS ("ASTM") ASTM-B42, ASTM-B68, ASTM-B75, ASTM-B88, ASTM-B88M, ASTM-B188, ASTM-B251, ASTM-B251M, ASTM-B280, ASTM-B302, ASTM-B306, ASTM-359, ASTM-B743, ASTM-B819, AND ASTM-B903 SPECIFICATIONS AND MEETING THE PHYSICAL PARAMETERS DESCRIBED THEREIN. ALSO INCLUDED WITHIN THE SCOPE OF THIS INVESTIGATION ARE ALL SETS OF COVERED PRODUCTS, INCLUDING "LINE SETS" OF SEAMLESS REFINED COPPER TUBES (WITH OR WITHOUT

FITTINGS OR INSULATION) SUITABLE FOR CONNECTING AN OUTDOOR AIR CONDITIONER OR HEAT PUMP TO AN INDOOR EVAPORATOR UNIT. THE PHRASE "ALL SETS OF COVERED PRODUCTS" DENOTES ANY COMBINATION OF ITEMS PUT UP FOR SALE THAT IS COMPRISED OF MERCHANDISE SUBJECT TO THE SCOPE.

"REFINED COPPER" IS DEFINED AS: (1) METAL CONTAINING AT LEAST 99.85 PERCENT BY WEIGHT OF COPPER; OR (2) METAL CONTAINING AT LEAST 97.5 PERCENT BY WEIGHT OF COPPER, PROVIDED THAT THE CONTENT BY WEIGHT OF ANY OTHER ELEMENT DOES NOT EXCEED THE FOLLOWING LIMITS:

ELEMENT LIMITING CONTENT PERCENT BY WEIGHT

AG - SILVER 0.25

AS - ARSENIC 0.5

CD - CADMIUM 1.3

CR - CHROMIUM 1.4

MG - MAGNESIUM 0.8

PB - LEAD 1.5

S - SULFUR 0.7

SN - TIN 0.8

TE - TELLURIUM 0.8

ZN - ZINC 1.0

ZR - ZIRCONIUM 0.3

OTHER ELEMENTS (EACH) 0.3

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE ALL SEAMLESS CIRCULAR HOLLOWS OF REFINED COPPER LESS THAN 12 INCHES IN LENGTH WHOSE OD (ACTUAL) EXCEEDS ITS LENGTH. THE PRODUCTS SUBJECT TO THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 7411.10.1030 AND 7411.10.1090 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). PRODUCTS SUBJECT TO THIS INVESTIGATION MAY ALSO ENTER UNDER HTSUS SUBHEADINGS 7407.10.1500, 7419.99.5050, 8415.90.8065, AND 8415.90.8085. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (A-201-838).

4. FOR IMPORTS OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO, CBP

SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER 05/12/2010. EFFECTIVE 05/12/2010, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS RATES FOR THE PRODUCER AND/OR EXPORTER LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE.

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE 'ALL OTHERS' RATE OF 30.90 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O3: GM).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-201-838-000	30.90%	M		ALL OTHERS
A-201-838-001	29.52%	M		IUSA S.A. DE. C.V. ("IUSA")
A-201-838-002	32.27%	M		NACIONAL DE COBRE, S.A. DE. C.V. ("NACOBRE")